

IN THE UNITED STATES BANKRUPTCY COURT, DISTRICT OF PUERTO RICO

IN RE: JOSEPH OJEDA FUENTES

Bkrty. No. 10-08034-ESL

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES
AND REPORT ON CONFIRMATION

| Petition Filing Date: <u>Aug 31, 2010</u> | Meeting Date: <u>Oct 01, 2010</u> | DC Track No. <u>25</u> | | | | | | |
|--|---|-----------------------------------|------|--------|------------|----------------|-----------------|------------------------------|
| Days from petition date: <u>31</u> | Meeting Time: <u>2:00 PM</u> | | | | | | | |
| 910 Days before Petition: <u>3/4/2008</u> | <input type="checkbox"/> Chapter 13 Plan Date: <u>Aug 31, 2010 Dkt.# 2</u> | <input type="checkbox"/> Amended. | | | | | | |
| This is debtor(s) <u>1</u> Bankruptcy petition. | Plan Base: <u>\$10,500.00</u> | | | | | | | |
| This is the <u>1</u> Scheduled Meeting | Confirmation Hearing Date: <u>Oct 27, 2010</u> | Time: <u>2:00 PM</u> | | | | | | |
| Payment(s) <input type="checkbox"/> Received or <input type="checkbox"/> Evidence shown at meeting: | <table border="1" style="width:100%"> <tr> <th>CLERK MO No.</th> <th>Date</th> <th>Amount</th> </tr> <tr> <td><u>091</u></td> <td><u>10/1/10</u></td> <td><u>\$175.00</u></td> </tr> </table> | CLERK MO No. | Date | Amount | <u>091</u> | <u>10/1/10</u> | <u>\$175.00</u> | Total Paid In: <u>\$0.00</u> |
| CLERK MO No. | Date | Amount | | | | | | |
| <u>091</u> | <u>10/1/10</u> | <u>\$175.00</u> | | | | | | |

| | | |
|---|---|---|
| I. Appearances: <input type="checkbox"/> Telephone <input type="checkbox"/> Video Conference | | <input type="checkbox"/> Creditor(s) present: <input checked="" type="checkbox"/> None. |
| <input checked="" type="checkbox"/> Debtor Present <input type="checkbox"/> Joint Debtor Present Debtor(s) was/were <input checked="" type="checkbox"/> Examined <input type="checkbox"/> Not Examined under oath. Attorney for Debtor(s) <input checked="" type="checkbox"/> Present <input type="checkbox"/> Not Present <input type="checkbox"/> Substitute attorney: <u>J Prieto</u> <input type="checkbox"/> Pro-se. | <input checked="" type="checkbox"/> ID & Soc. OK <input type="checkbox"/> ID & Soc. OK <input type="checkbox"/> Debtor Absent <input type="checkbox"/> Joint Debtor Absent | |

| | | |
|--|------------------------------------|--|
| II. Attorneys Fees as per R 2016(b) Statement | | Attorney of record: <u>JOSE PRIETO CARBALLO*</u> |
| Total Agreed: <u>\$3,000.00</u> | Paid Pre-Petition: <u>\$226.00</u> | Outstanding: <u>\$2,774.00</u> THROUGH THE PLAN |

III. Trustee's will file Motion to Dismiss: ☐ For Failure to appear; ☐ For Failure to commence payments.

IV. Trustee's Report on Confirmation & Status of §341 Meeting

Debtor(s) Income is (are) ☐ Under ☒ Above Median Income. Liquidation Value: \$1,275.00

Commitment Period is ☐ 36 ☒ 60 months. [§1325(b)(1)(B)] Gen. Unsecured Pool: \$

The Trustee ☐ RECOMMENDS ☒ OBJECTS Plan confirmation.

§341 Meeting ☐ CONTINUED ☐ NOT HELD ☒ CLOSED ☐ HELD OPEN FOR ___ DAYS

§341 Meeting Rescheduled for: _____

V. Trustee's OBJECTIONS to Confirmation:

☒ FEASIBILITY [§1325(a)(6)] ☒ INSUFFICIENTLY FUNDED ☐ To pay \$507 ☒ Fails Creditor's Best Interest Test §1325(A)(4)

☐ FAILS DISPOSABLE INCOME REQUIREMENTS ☐ Tax returns requirements. [§1308]

☐ Failure to comply with DSO requirements ☐ Plan not filed in Good Faith §1325(a)(3) ☐ Unfair Discrimination §1322(a)(3)

ADDITIONAL OBJECTIONS / COMMENTS:

① Unable to make payment to Mortgage payments, to Moral.

/s/ José R. Carrión
Trustee

Presiding Officer

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Date: Oct 01, 2010